

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alex D. Poon

Serial No.: 09/491,703

Filed: January 26, 2000

For: METHOD AND APPARATUS FOR)
FACILITATING USER SELECTION OF AN)
ITEM CATEGORY IN AN ONLINE AUCTION)

Assistant Commissioner for Patents
Washington, D.C. 20231

Received

JUN 7 - 2000

**Director's Office
Group 2700**

PETITION TO MAKE SPECIAL FOR PENDING APPLICATION

[37 C.F.R. § 1.102(d) / MPEP § 708.2, II]

Dear Sir:

This is a petition to advance the examination and processing of the above-identified patent application. This petition is submitted pursuant to 37 C.F.R. § 1.102(d) and MPEP § 708.2, II.

Applicant has become aware that there are products actually on the market and methods currently in use by others that infringe one or more of the claims currently pending in the present case. The inventor of the present invention has obtained documentation describing products and methods that, after a rigid comparison with the pending claims, unquestionably infringe one or more of the pending claims. In addition, the Applicant has caused to be made a careful and thorough search of the prior art in this case and/or has a thorough working knowledge of the prior art in this case. Applicant encloses herewith Form PTO-1449 listing references located by a search

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of the prior art. Copies of the references are enclosed. Advanced examination and processing of this patent application is respectfully requested.

Applicant therefore respectfully requests that this Petition to Make Special be granted and that examination of the present application be advanced to the fullest extent possible.

The petition fee of \$130 is included herewith. If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the processing of this petition, the Examiner is invited to contact André L. Marais at (408) 720-3478.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 05/18/, 2000

André L. Marais
Under 37 CFR § 10.9(b)

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

FIRST CLASS CERTIFICATE OF MAILING

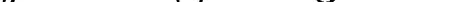
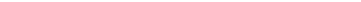
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on May 18, 2000 Date of Deposit

Lindy Vajretti

Name of Person / Mailing Correspondence

S. 18-78

 Signature  Date



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MAY 25 2000

FEE TRANSMITTAL FOR FY 2000

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known:

Application No. 09/491,703Filing Date January 26, 2000First Named Inventor Alex D. POONGroup Art Unit Not yet assignedExaminer Name Not yet assignedAttorney Docket No. 003801.P007

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. Payment Enclosed:

Check
 Money Order
 Other

FEE CALCULATION

1. BASIC FILING FEE

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Code	Fee	Code	
101	690	201	Utility application filing fee
106	310	206	Design application filing fee
107	480	207	Plant filing fee
108	690	208	Reissue filing fee
114	150	214	Provisional application filing fee

SUBTOTAL (1) \$ 02. EXTRA CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	- 20** = _____	X _____	= _____
Independent Claims	- 3** = _____	X _____	= _____
Multiple Dependent			= _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	
Fee	Fee	Fee	
Code	Fee	Code	
103	18	203	Claims in excess of 20
102	78	202	Independent claims in excess of 3
104	260	204	Multiple dependent claim, if not paid
109	78	209	**Reissue independent claims over original patent
110	18	210	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

01/10/2000

- 1 -

PTO/SB/17 (6/99)

Patent fees are subject to annual revisions. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid.

See Forms PTO/SB/09-12

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MAY 25 2000

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	Surcharge - late filing fee or oath
127	50	227	Surcharge - late provisional filing fee or cover sheet
139	130	139	Non-English specification
147	2,520	147	For filing a request for reexamination
112	920*	112	Requesting publication of SIR prior to Examiner action
113	1,840*	113	Requesting publication of SIR after Examiner action
115	110	215	Extension for response within first month
116	380	216	Extension for response within second month
117	870	217	Extension for response within third month
118	1,360	218	Extension for response within fourth month
128	1,850	228	Extension for response within fifth month
119	300	219	Notice of Appeal
120	300	220	Filing a brief in support of an appeal
121	260	221	Request for oral hearing
138	1,510	138	Petition to institute a public use proceeding
140	110	240	Petition to revive unavoidably abandoned application
141	1,210	241	Petition to revive unintentionally abandoned application
142	1,210	242	Utility issue fee (or reissue)
143	430	243	Design issue fee
144	580	244	Plant issue fee
122	130	122	Petitions to the Commissioner
123	50	123	Petitions related to provisional applications
126	240	126	Submission of Information Disclosure Stmt
581	40	581	Recording each patent assignment per property (times number of properties)
146	690	246	For filing a submission after final rejection (see 37 CFR 1.129(a))
149	690	249	For each additional invention to be examined (see 37 CFR 1.129(a))

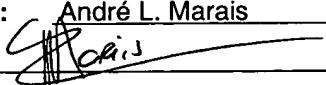
Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 130.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: André L. Marais
 Signature  Date 05/18/00

Reg. Number Under 37 CFR §10.99b) Deposit Account User ID 02-2666
 (complete if applicable)

003801.P007

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MAY 25 2000

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Alex D. POON) Examiner: Not yet assigned
Serial No.: 09/491,703) Art Unit: Not yet assigned
Filing Date: January 26, 2000)
For: METHOD AND APPARATUS FOR)
FACILITATING USER SELECTION OF)
AN ITEM CATEGORY IN AN)
ONLINE AUCTION)



Assistant Commissioner for Patents
Washington, D.C. 20231

LETTER REGARDING LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

The undersigned has been granted limited recognition under 37 CFR § 10.9(b) to prosecute patent applications in which the applicants are clients of the Blakely, Sokoloff, Taylor & Zafman LLP law firm, and wherein a registered practitioner who is a member of the Blakely, Sokoloff, Taylor & Zafman LLP law firm is the attorney or agent of record. In this regard, please see the attached copy of the original document in which this limited recognition is granted. In particular, please note that:

- (a) The undersigned is an employee of the Blakely, Sokoloff, Taylor & Zafman LLP law firm;
- (b) The above applicant is a client of the Blakely, Sokoloff, Taylor & Zafman LLP law firm;
- (c) A registered practitioner who is a member of the Blakely, Sokoloff, Taylor & Zafman LLP law firm is an attorney or agent of record in the above application;
- (d) The undersigned continues to lawfully reside in the United States on a H-1B visa; and
- (e) The undersigned has been appointed as an associate attorney in the above application.

Accordingly, the undersigned meets all requirements for limited recognition under § 10.9(b), and is thus permitted to prosecute the above patent application.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 05/18/ 2000

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598



André L. Marais

Under 37 CFR § 10.9(b)

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Andre L. Marais is hereby given an extension to a grant of limited recognition under 37 CFR § 10.9(b), as an employee of the Blakely, Sokoloff, Taylor & Zafman law firm, to prepare and prosecute patent applications and to represent patent applicants wherein the patent applicants are clients of the Blakely, Sokoloff, Taylor & Zafman law firm, and wherein a registered practitioner who is a member of the Blakely, Sokoloff, Taylor & Zafman law firm, is the attorney of record. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Andre L. Marais ceases to lawfully reside in the United States, (ii) Andre L. Marais' employment with the Blakely, Sokoloff, Taylor & Zafman law firm ceases or is terminated, or (iii) Andre L. Marais ceases to remain or reside in the United States on an H1B1 visa.

This document constitutes proof of such limited recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: October 21, 2000




Harry I. Moatz, Acting Director
Office of Enrollment and Discipline